



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक—कोकण विभागीय पुरवणी

वर्ष ५ अंक ६८]

गुरुवार, जानेवारी ३०, २०१४/माघ १०, शके १९३५

[पृष्ठ ५, किंमत : रुपये ११.००

असाधारण क्रमांक १३

प्राधिकृत प्रकाशन

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated 2nd January 2014

Notice

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPS.1213/1533/C.R. 236/13/(Part-1)/UD-12.—Whereas, the Government has sanctioned the Regional Plan for Mumbai Metropolitan Region (hereinafter referred to as “ the said Regional Plan”) *vide* Notification No. TPS. 1297/1094/CR-116/97/UD-12, dated 23rd September 1999 as per the provisions of Section 15 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “ the said Act ”) which has come into force with effect from 1st December 1999 ;

And whereas, the Government has sanctioned a modification to the said Regional Plan, under sub-section (4) of section 20 of the said Act, providing Regulations for Special Township Projects (STP) *vide* notification No.TPS.1205/MMR DCR/CR-48/06/UD-12, dated 10th March 2006 and for Mega City Scheme *vide* notification No.TPS.1208/1570/CR-161 (B)/09/UD-12, dated 28th August 2009 (hereinafter referred to as “ the said STP Regulations ”) ;

And whereas, the Government has sanctioned a modification to the said STP Regulations under sub-section (4) of section 20 of the said Act, *vide* Notification No. TPS. 1213/1533/ C.R.236/13/UD-12, dated 1st January 2014, as per Annexure-X appended to the said Notification ;

And whereas, after consulting the Director of Town Planning, Maharashtra State, Pune, the Government feels it necessary to further suitably modify the said STP Regulations to make the same more effective.

Now therefore, in accordance with the provisions contained in sub-section (3) of section 20 of the said Act, the Government hereby, publishes this notice for inviting suggestions and /or objections in respect of the proposed modifications described more specifically in the Annexure appended to this Notice (hereinafter referred to as the “ the Proposed Modifications ”), from the general public within one month from the date of publication of the notice in the *Official Gazette*. The suggestions and/or objections shall be addressed to the Joint Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai, who is hereby authorised to hear the suggestions and /or objections which may be received within the aforesaid prescribed period and submit his report to the Government. Only the suggestions and /or objections received within the aforesaid stipulated period, shall be considered by the Government.

A copy of the Proposed Modifications for development of Special Township Projects in areas under the Mumbai Metropolitan Regional Plan, shall be kept open for inspection by the general public in the offices of the following officers for the period of one month :—

- (1) The Metropolitan Commissioner, MMRDA, Bandra-Kurla Complex, Bandra (E.), Mumbai.
 - (2) The Collector, Thane.
 - (3) The Collector, Raigad.
 - (4) Joint Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai.
 - (5) Assistant Director of Town Planning, Thane Branch, Collector Office, Court Naka, Thane.
 - (6) Asstt. Director of Town Planning, Alibag Branch, Nirdhar Tilak Chowk, Alibag, Dist. Raigad.
- This notice shall also be available on the Government web site www.maharashtra.gov.in

ANNEXURE

(Accompaniment to the Government Notice No. TPS. 1213/1533/C.R.236/13/(Part-1)/UD-12, dated 2nd January, 2014 Proposed Modification in the Regulations sanctioned for Development of Special Township Projects in Areas under Mumbai Metropolitan Regional Plan.

Existing Provisions (1)	Proposed Provisions (2)
<p>1. Applicability.—This Regulations would be applicable to the area under sanctioned Mumbai Metropolitan Regional Plan excluding the area under jurisdiction of Municipal Corporations, Municipal Councils, Cantonment Boards, Maharashtra Industrial Development Corporation and Special Planning Authority, if any.</p>	<p>Applicability—These Regulations would be a part of the Development Control Regulations of the sanctioned Mumbai Metropolitan Regional Plan, and applicable to the area under the sanctioned Mumbai Metropolitan Regional Plan, excluding the area under the jurisdiction of the Municipal Corporations, the Municipal Councils, the Cantonment Boards, the Maharashtra Industrial Development Corporation and Special Planning Authority, if any :</p> <p><i>Provided that, in case of a newly constituted Municipal Council or Municipal Corporation or Special Planning Authority, these regulations shall be applicable till such authority adopts the Regulations in this regard.</i></p>
<p>1.1 Area Requirement.—Any suitable area having sufficiently wide means of access (not less than 18 mts. wide) can be identified for the purpose of development as “Special Township”. The area notified under the Special Township shall be one , contiguous, unbroken and uninterrupted and in any case shall not be less than 40 Ha. (100 acres) at one place which shall not include the area under forest, water bodies like river / creek / canal / reservoir, lands falling within the belt of 500 mt. from the HFL of major lakes, dams and its surrounding restricted area, lands in the command area of irrigation projects, land falling within a belt of 200 mt. from historical monuments and places of Archaeological importance, Archaeological monuments, Heritage precincts and places, any restricted areas, notified National parks, existing and proposed industrial zone, gaothan areas or congested areas, truck terminus specially</p>	<p>1.1 Area Requirement.— Any suitable area having access by means of an existing or a proposed Regional Plan road, having a minimum width of 18 mt. can be identified for the purpose of development as “Special Township Project”.</p> <p>The area notified under the Special Township Project, shall be one , contiguous, unbroken and uninterrupted and in any case shall not be less than 40 Ha. (100 acres) at one place.</p> <p>[Explanation .—If such minimum 40 Ha. (100 Acre) area proposed to be developed under a Special Township Project is divided by one or more water courses (such as nalas, canal, etc.), existing or proposed roads of any width or railways, etc., then such area shall be considered to be continuous, unbroken and uninterrupted, subject to the condition that the Developer shall construct necessary connecting roads or bridges as per site requirements at his own cost with due permission from the concerned authorities.]</p>

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earmarked on Regional Plan, wildlife corridors and biosphere reserves, Eco-sensitive Zone, Quarry Zone, Green Zone (G-2) and other environmentally sensitive areas and recreational tourism zone catchment areas of water bodies, Defence areas, Cantonment areas, notified areas of SEZ, designated Port/ Harbour areas, designated Airport areas.

5.1 Special Township Project in Urbanisable Zone (U-1), Urbanisable Zone (U-2) and Green (G-1)

(i) The admissible FSI in respect of a Special Township Project in the U-1 Zone and U-2 Zone within the Regional Plan area shall be as given below :—

4(f) *Parks, Gardens, and Playgrounds.*—The township shall also provide adequate area as parks/ gardens/ play grounds. This should be exclusive of the statutory open spaces to be kept in smaller layout and should be distributed in all residential clusters. This 20 percent area should be developed by the developer for such purposes and kept open to all general public.

7. Procedure :—

(b) *Letter of Intent.*—Upon receipt of locational clearance from the Government, the developer shall submit the proposal in respect of Special Township to Collector, Thane and Raigad alongwith the environmental clearance as mentioned in Regulation No. 1.4 for issue of letter of intent. The

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The area under Special Township Project shall not include the area under notified forest, water bodies like rivers / creeks / canals / reservoirs, Tribal lands, lands falling within the belt of 500 mt. from the High Flood Line (HFL) of major lakes, dams and their surrounding restricted areas, lands in the command area of irrigation projects, lands falling within a belt of 200 mt. from historical monuments and places of Archaeological importance, Archaeological monuments, Heritage precincts and places, any restricted areas, notified National parks, gaathan areas or congested areas, Defence areas, Cantonment areas, truck terminus specially earmarked on Regional Plan, area under Eco-sensitive Zone, other environmentally sensitive areas, Quarry Zone, notified areas of SEZ, wildlife corridors and biosphere reserves, Green Zone (G-2), catchment areas of water bodies, designated Port/ Harbour areas and designated Airport areas.

However, such Special Township Project may also include private lands under commercial zone, industrial zone, public/ semi-public zone and Recreation and Tourism Zone (RTZ,) subject to the condition that 60 percent built-up area from the land under such Zone shall be for the purpose of respective main user of such zone, with remaining 40 percent, for the Residential and Allied users.

5.1 Special Township Project in Urbanisable Zone-1 (U-1), Urbanisable Zone-2 (U-2), Commercial/ Industrial Zone/ Public Semi-public Zone / Recreation and Tourism Zone and Green Zone (G-1) :—

(i) The admissible FSI in respect of a Special Township Project in the Urbanisable Zone-1 (U-1), Urbanisable Zone-2(U-2), Commercial/ Industrial Zone/ Public Semi-public Zone / Recreation and Tourism Zone within the Regional Plan area shall be as given below .—

4(f) *Parks, Gardens, and Playgrounds.*—The Special Township Project in Urbanisable Zone U-1 and U-2 shall also provide at least 10 percent of the gross area of the project as parks/ gardens/ play grounds, which shall be developed by the Developer as such and kept open to the general public. This shall be exclusive of the statutory open spaces to be kept in smaller layouts and shall be distributed in all residential clusters.

7. Procedure :—

(b) *Letter of Intent.*—Upon receipt of locational clearance from the Government, the developer shall submit the proposal in respect of Special Township Project, to the Planning Authority or the Collector of the concerned District, as the case may be, along with the environmental clearance as mentioned in

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proposal shall contain ownership rights/ development rights, document in respect of at least 50% of area under scheme and other

7. Procedure :—

(c) *Final Approval.*—(i) The Developer shall submit the layout plan of the entire township area, sector-wise detailed building plans and details of phasing, for final sanction to the Collector, Thane and Raigad. The Developer shall also submit an undertaking and execute an agreement about development and maintenance of basic infrastructure amenities in future with bank guarantee of 15% of its development costs. The Collector, Thane and Raigad shall conduct proper enquiry and ensure the correctness of title and ownership etc. Only after such conduct proper enquiry and ensure the correctness of title and ownership etc. Only after such verification, Collector, Thane & Raigad shall grant approval to layout plan and sector-wise detailed building plan in consultation with Deputy Director of Town Planning, Konkan Division, Navi Mumbai within the stipulated period on terms and conditions as may be determined by Collector and Deputy Director of Town Planning, Konkan Division, Navi Mumbai.

The period required by the Collector for Technical consultation with Deputy Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai shall not be computed.

Any one aggrieved by an order passed under prevailing Byelaws may within forty days of the date of communication of the order prefer an appeal to the Director of Town Planning, Maharashtra State, Pune. The appeal shall be cleared within 60 days.

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Regulation No. 1.4 for issue of letter of intent. The proposal shall contain documents showing ownership rights/ development rights in respect of 100% of the area under the project and such other particulars as may be decided and directed by the Planning Authority or the Collector, as the case may be, including details of qualified technical staff and the consultants in relevant technical fields. Letter of Intent shall be issued within a period of 45 days from the date of the receipt of the final proposal, complete in all respect. The letter of Intent shall be valid for six months from the date of issue, unless renewed.

7. Procedure :—

(c) *Final Approval.*—(i) The Developer shall submit the layout plan of the entire area under the proposed Special Township Project, along with sector-wise detailed building plans and details of phasing, for final sanction to the Planning Authority or the Collector of the concerned District, as the case may be. The Developer shall also submit an Undertaking and execute an Agreement about development and maintenance of basic infrastructure amenities in future, along with a bank guarantee of 15% of the development cost of the Special Township Project. The Planning Authority or the Collector, as the case may be, shall conduct proper enquiry and verify the correctness of title and ownership, etc. Only after such verification and after ensuring the availability of existing access road of width not less than 18 mt., shall the Planning Authority or the Collector, as the case may be, grant approval to layout plan and sector-wise detailed building plans in consultation with the Divisional Joint Director of Town Planning, Konkan Division, Navi Mumbai, within the stipulated period, on terms and conditions as may be determined by the Planning Authority or the Collector, as the case may be, and the Joint Director of Town Planning, Konkan Division, Navi Mumbai.

The period required for Technical consultation with the Joint Director of Town Planning, Konkan Division, Navi Mumbai shall not be taken into account while computing the period prescribed for such permission.

Any one aggrieved by an order passed by the Planning Authority or the Collector, as the case may be, in this regard, may within forty days of the date of communication of the order, prefer an appeal to the Director of Town Planning, Maharashtra State, Pune. The appeal shall be disposed of within 60 days from the date of filling.

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<p>(xiv) All other documents as determined and directed by Collector, Thane, Raigad.</p> <p><i>Note.</i>—The above prescribed periods shall be computed after compliance of all the requirements listed above and any other additional information called for from the owner/developer by the Government / Collector.</p>	<p>(xiv) All other documents as determined and directed by the Planning Authority or the Collector of the concerned District, as the case may be.</p> <p><i>Explanation.</i>—The above prescribed periods shall be computed after compliance of all the requirements listed above and submission of any other additional information called for from the Owner/Developer by the Government / the Planning Authority / the Collector of the concerned District, as the case may be.</p>

By order and in the name of the Governor of Maharashtra,

SANJAY V. PAWAR,
Section Officer.